

UNITED STATES BANKRUPTCY COURT  
WESTERN DISTRICT OF TEXAS  
AUSTIN DIVISION

IN RE:	§	CASE NO. 10-13382-HCM
BYRON SCOTT MARKS	§	
REBECCA KAY MARKS	§	
	§	
DEBTORS	§	CHAPTER 13

**TRUSTEE'S RECOMMENDATION CONCERNING CLAIMS**

THIS PLEADING REQUESTS RELIEF THAT MAY BE ADVERSE TO YOUR INTERESTS.

NO HEARING WILL BE CONDUCTED ON THIS RECOMMENDATION CONCERNING CLAIMS (OR ITS TREATMENT OF ANY CLAIM) UNLESS A WRITTEN RESPONSE IS FILED WITHIN TWENTY-ONE (21) DAYS FROM THE DATE OF SERVICE.

A TIMELY RESPONSE IS NECESSARY FOR A HEARING TO BE HELD. IF NO RESPONSE IS TIMELY FILED, THE TREATMENT OF CLAIMS REFLECTED IN THE RECOMMENDATION SHALL BE DEEMED APPROVED BY THE COURT WITHOUT FURTHER HEARING OR ORDER.

BY ORDER OF THE COURT, THE TRUSTEE'S RECOMMENDATION CONCERNING CLAIMS SHALL SET A BAR DATE FOR OBJECTION TO CLAIMS, FOR CONTESTING THE VALIDITY OR PRIORITY OF LIENS, AND FOR CHALLENGING THE PRIORITY OF CLAIMS. THE BAR DATE SHALL BE THE TWENTY-FIRST (21ST) DAY AFTER THE SERVICE OF THE RECOMMENDATION OF CLAIMS. ANY OBJECTION, MOTION OR ADVERSARY CONTESTING THE VALIDITY OR PRIORITY OF ANY CLAIM REFLECTED IN THIS RECOMMENDATION CONCERNING CLAIMS MAY NOT BE FILED AFTER THE EXPIRATION OF THE BAR DATE EXCEPT UPON LEAVE OF THE COURT AFTER MOTION REQUESTING SUCH LEAVE AND UPON NOTICE OF HEARING TO THE CHAPTER 13 TRUSTEE, THE DEBTORS, THE DEBTORS' COUNSEL, AND ALL PARTIES IN INTEREST.

TO THE HONORABLE H. CHRISTOPHER MOTT, UNITED STATES BANKRUPTCY JUDGE.

Comes now Deborah B. Langehennig, Chapter 13 Trustee (hereinafter "Trustee"), and making this her recommendation concerning claims, would respectfully show the Court as follows:

**I.**

The time for filing claims in this proceeding has expired. The Trustee has reviewed all of the claims filed in this proceeding. Attached is a Schedule containing the Trustee's recommendation as to various matters concerning claims, including the amount and classification of each creditor's claim(s). The dividend paid to allowed general unsecured claims to be paid through the plan is currently 33%.

**II.**

If a party in interest disagrees with any of the Trustee's recommendations, such party may file a response to the Trustee's Recommendation, or may file an objection to any disputed claim listed on the attached schedule. Responses and objections must be filed within twenty-one (21) days from the date of service hereof. Each claim for which there is no response or objection filed within twenty-one (21) days from the date of service hereof will be treated as listed in the attached schedule.

**III.**

If the Plan provides that the Trustee is to disburse the ongoing mortgage payment, the Trustee will disburse pursuant to the provisions of the Plan, the Proof of Claim and attached exhibits, and any notices filed by the creditor.

**IV.**

**NOTICE OF BAR DATE FOR OBJECTIONS TO CLAIMS**

Responses to the Trustee's recommendation or additional objections to claims must be filed within twenty-one (21) days from the date of service hereof with the United States Bankruptcy Clerk, 903 San Jacinto, Suite 322, Austin, TX 78701 and served on the appropriate parties pursuant to the Bankruptcy Rules.

Respectfully submitted,

/s/ Deborah B. Langehennig

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**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE WESTERN DISTRICT OF TEXAS**

<b>IN RE:   BYRON SCOTT MARKS           REBECCA KAY MARKS</b>	<b>Schedule of Claims</b>
	<b>Case Number:   10-13382-HCM</b>

<u>Claim #</u>	<u>Creditor Name and Address</u>	<u>Account Number</u>	<u>Amount</u>	<u>Classification/Comments</u>
15	ALEXANDER OIL CO 1501 FM 389 BRENHAM, TX 77822	Treatment of Scheduled Claim: GENERAL UNSECURED CLAIM	\$0.00	UNSECURED NOT FILED INTEREST RATE: 0.00%
24	BURLESON COUNTY % PERDUE BRANDON FIELDER COLLI 3301 NORTHLAND DRIVE STE 505 AUSTIN, TX 78731	FM 4/1/11 Treatment of Claim: NOTICE ONLY CREDITOR	\$0.00	NOTICE ONLY INTEREST RATE: 0.00%
5	BURLESON COUNTY TAX OFFICE 100 W BUCK ST STE 202 CALDWELL, TX 77836	4472 Treatment of Claim: SECURED CLAIM	\$4,043.46	SECURED CLAIM FILED INTEREST RATE: 12.00% Property taxes
8	CANDICA LLC % WEINSTEIN AND RILEY PS PO BOX 3978 SEATTLE, WA 98124-3978	1125 Treatment of Claim: GENERAL UNSECURED CLAIM	\$1,098.12	UNSECURED CLAIM FILED INTEREST RATE: 0.00%
3	CITIZENS STATE BANK PO BOX 518 SOMERVILLE, TX 77879	406343 Treatment of Claim: AMENDED ARREARAGE CLAIM	\$2,447.12	MORTGAGE ARREARAGE CLAIM FILED INTEREST RATE: 0.00%
4	CITIZENS STATE BANK PO BOX 518 SOMERVILLE, TX 77879	100884 Treatment of Claim: AMENDED ARREARAGE CLAIM	\$3,784.97	MORTGAGE ARREARAGE CLAIM FILED INTEREST RATE: 0.00%
6	CITIZENS STATE BANK PO BOX 518 SOMERVILLE, TX 77879	405679 Treatment of Claim: SURRENDER BY DEBTOR(S)	\$0.00	SECURED CLAIM FILED INTEREST RATE: 0.00% Horse Trailer
7	CITIZENS STATE BANK PO BOX 518 SOMERVILLE, TX 77879	402377 Treatment of Claim: SURRENDER BY DEBTOR(S)	\$0.00	SECURED CLAIM FILED INTEREST RATE: 0.00% Beauty shop equipment
14	CITIZENS STATE BANK PO BOX 518 SOMERVILLE, TX 77879	Timothy N Tietjen Treatment of Claim: NOTICE ONLY CREDITOR	\$0.00	NOTICE ONLY INTEREST RATE: 0.00%
22	CITIZENS STATE BANK PO BOX 518 SOMERVILLE, TX 77879	263273 Treatment of Claim: GENERAL UNSECURED CLAIM	\$4,216.51	UNSECURED CLAIM FILED INTEREST RATE: 0.00%

<u>Claim #</u>	<u>Creditor Name and Address</u>	<u>Account Number</u>	<u>Amount</u>	<u>Classification/Comments</u>
23	CITIZENS STATE BANK PO BOX 518 SOMERVILLE, TX 77879	405243 Treatment of Claim: GENERAL UNSECURED CLAIM	\$3,122.27	UNSECURED CLAIM FILED INTEREST RATE: 0.00%
9	ECAST SETTLEMENT CORPORATION POB 29262 NEW YORK, NY 10087-9262	9471 Treatment of Claim: GENERAL UNSECURED CLAIM	\$8,697.46	UNSECURED CLAIM FILED INTEREST RATE: 0.00% Citibank
21	ECAST SETTLEMENT CORPORATION POB 29262 NEW YORK, NY 10087-9262	5059 Treatment of Claim: GENERAL UNSECURED CLAIM	\$834.25	UNSECURED CLAIM FILED INTEREST RATE: 0.00%
16	FIRST NATIONAL MERCHANT SOLUTIONS CORPORATE ADDRESS PO BOX 2196 OMAHA, NE 68103	 Treatment of Scheduled Claim: GENERAL UNSECURED CLAIM	\$0.00	UNSECURED NOT FILED INTEREST RATE: 0.00%
13	NUVELL CREDIT COMPANY LLC PO BOX 78367 PHOENIX, AZ 85062	1576 Treatment of Claim: GENERAL UNSECURED CLAIM	\$14,157.39	UNSECURED CLAIM FILED INTEREST RATE: 0.00%
11	PORTFOLIO RECOVERY ASSOC PO BOX 12914 NORFOLK, VA 23541	7003 Treatment of Claim: GENERAL UNSECURED CLAIM	\$9,651.52	UNSECURED CLAIM FILED INTEREST RATE: 0.00% HSBC/Beneficial
19	RJM ACQUISITIONS FUNDING LLC 575 UNDERHILL BLVD STE 224 SYOSSET, NY 11791	9739 Treatment of Claim: GENERAL UNSECURED CLAIM	\$149.41	UNSECURED CLAIM FILED INTEREST RATE: 0.00%
17	STRICKLAND FLORIST PO BOX 23 SOMERVILLE, TX 77879	712 Treatment of Claim: GENERAL UNSECURED CLAIM	\$579.80	UNSECURED CLAIM FILED INTEREST RATE: 0.00%
18	STRICKLAND FLORIST PO BOX 23 SOMERVILLE, TX 77879	 Treatment of Scheduled Claim: GENERAL UNSECURED CLAIM	\$0.00	UNSECURED NOT FILED INTEREST RATE: 0.00%
20	TEXAS GUARANTEED STUDENT LOAN CORP PO BOX 83100 ROUND ROCK, TX 78683-3100	2947 Treatment of Claim: GENERAL UNSECURED CLAIM	\$1,792.36	UNSECURED CLAIM FILED INTEREST RATE: 0.00%
12	VAN RU CREDIT CORP PO BOX 1109 SKOKIE, IL 60076	 Treatment of Scheduled Claim: GENERAL UNSECURED CLAIM	\$0.00	UNSECURED NOT FILED INTEREST RATE: 0.00%
10	VATIV RECOVERY SOLUTIONS LLC AS AGENT FOR PALISADES COLLECTIONS/ATSA FUNDING PO BOX 40728 HOUSTON, TX 77240-0728	0719 Treatment of Claim: GENERAL UNSECURED CLAIM	\$254.25	UNSECURED CLAIM FILED INTEREST RATE: 0.00%